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RESOLUTION NO. 28-93

A RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS  
ADOPTING AN AMENDMENT  
TO THE NAVAJO COUNTY ZONING ORDINANCE

The Navajo County Board of Supervisors does resolve as follows:

**SECTION 1.** The Board of Supervisors does hereby declare and determine the following recommended amendment was duly given and published, that a Public Hearing was duly held on the 8th day of February, 1993, and that the public necessity, convenience and general welfare and good zoning practice require that the following amendment and change be made.

**SECTION 2.** The Board of Supervisors hereby adopts the change and amendment of the text of Article 3, entitled A-General Zoning District, of the Navajo County Zoning Ordinance to read as follows:

SEE ATTACHED

APPROVED AND ADOPTED this 8<sup>th</sup> day of March, 19 93

  
Chairman  
Navajo County Board of Supervisors

ATTEST:

  
Clerk of the Board

PROPOSED AMENDMENTS TO ARTICLE 3  
OF THE NAVAJO COUNTY ZONING ORDINANCE

ARTICLE 3 - (A-GENERAL) - GENERAL ZONING DISTRICT

Section 301 - Purpose

The main purpose of this A-GENERAL ZONE is to provide for all of the unincorporated areas of the County, except land within the boundary of a an Indian Reservation and outside the authority of Navajo County, not otherwise designated for some other specific zone, to be included in the A-GENERAL ZONE by this Ordinance. No subdividing shall be conducted or approved in the A-GENERAL ZONE without prior re-zoning of the land so intended. Uses permitted in the A-GENERAL ZONE, include farm and non-farm residential uses, farms, recreational, institutional, commercial and industrial uses as specifically listed in this Article. Other uses may be permitted as Special Uses under Article 20.

Section 302 - Use Regulations

A building or premises shall be used only for the following purposes:

- 1) Single-family dwellings - including conventional site-built homes, mobile homes and manufactured or modular homes.
- 2) Churches.
- 3) Farms, as-defined-in-Article-23: including customary agricultural uses.
- 4) Public schools, elementary and high-and-private-schools with-a-cirriculum-the-same-as-customarily-given-in-public schools: secondary.
- 5) Public and private forests and wildlife reservations.
- 6) Service to the public of water, gas, electricity, telephone, cable TV, telegraph, steam, hot or cold air and sewage including waste water treatment plants. The foregoing shall be deemed to include attendant facilities and appurtenances to these uses, -including;-without limitations;-distribution;-collector-and-feeder-lines; pumping-or-booster-stations-along-pipelines;-and substations-along-electric-transmission-lines: necessary to serve the surrounding territory. Business offices and repair or storage facilities may be allowed with a Special Use Permit.

- 7) Publicly owned or operated properties such-as including but not limited to fire stations, police stations and post offices.
- 8) Golf courses including club houses located thereon, including miniature courses or practice driving tees operated for commercial purposes.
- 9) Libraries, museums, parks, playgrounds, tennis courts and community buildings.
- 10) Hospitals, and institutions of an educational, religious, charitable or philanthropic nature, provided the buildings are set back from all lot lines a distance of not less than two feet (2') for each foot of building height. Homes for the aged, nursing homes, and convalescent homes may be allowed with a Use Permit issued by the Board of Adjustment.
- ~~11) Private-clubs-and-fraternal-organizations.~~
- 11) Home occupations.
- 12) Except as otherwise specified, all agricultural uses and the production, harvesting, curing, processing, packaging, shipping and roadside stands offering for sale only farm products produced on the premises.
- 13) Commercial feed lots, dairy farms, the raising of fur-bearing animals or the raising or feeding of animals that could create noise, odors, dust or pose a problem of health or sanitation to neighboring properties, if within six hundred feet (600') of a property line, will be subject to securing a Special Use Permit, and periodic inspection to assure compliance.
- 14) Public riding stables and boarding stables, provided the site contains at least ten (10) acres and the building housing the animals is set back from all lot lines a distance of not less than one hundred feet (100').
- 15) The keeping of horses, providing that:
  - A) Corrals, stables, watering areas and feeding stations are set back from all property lines a distance of not less than that required for building setbacks.
  - B) Corrals contain at least six hundred square feet (600 sq. ft.) per horse.

- 16) Plant nurseries and greenhouses for the propagation, cultivation and wholesale and retail distribution of plants produced on the premises. ~~provided such uses including retail sales~~ Open storage shall be limited to plants or packaged fertilizer, and the buildings and structures used in connection therewith are set back from all lot lines a distance of not less than fifty-(50)-feet that required for residential building setbacks.
- ~~17) Corrals for the keeping of horses.~~
- 17) Fences or free standing walls not to exceed a height of six feet (6').
- 18) Accessory buildings and uses customarily incidental to the above uses, including:
- A) ~~Quarters for servants and caretakers employed on the premises, subject to securing a use permit, and if kitchen facilities are provided therein, any use permit approved for such quarters shall continue, providing, upon inspection, satisfactory evidence indicated that such quarters are continuing their function as bona fide servant and caretaker quarters and not as a rental unit.~~
- A) Barns, sheds and stable buildings.
- B) Guest houses and quarters for servants and caretakers employed on the premises, providing that the lot be a minimum of ten thousand square feet (10,000 sf.) in area, that all buildings meet all building setbacks, that the guest house or servants and caretakers quarters be no greater than seventy percent (70%) of the square footage of the principal dwelling and subject to securing a use permit. If kitchen facilities are provided therein, any use permit approved for such quarters shall continue if, upon inspection, satisfactory evidence indicates that such buildings are continuing their function as bona fide guest houses, servant's or caretaker's quarters and not as a rental unit.
- C) Private swimming pools along with incidental installations, such as pumps and filters, provided that such pool and incidental installation are located in other than the required front yard and screened from adjoining lots by a solid wall or protective fence of not less than four and one half feet (4-1/2') in height nor more than six feet (6') in height, and provided such pool sets back from all lot lines a distance of not less than seven feet (7').

### Section 303 - Sign Regulations

The sign regulations are as provided in article 23 hereof.

#### Section 304 - Height Regulations

- 1) The height of a building shall not exceed thirty feet (30') ~~or two-stories~~. The height shall be measured from the finished grade to the highest point on the roof structure. For the purpose of this Section, finished grade shall be defined as the average of the finished ground level at the center of all walls of the building. A building height greater than thirty feet (30') may be allowed with a use permit.

#### Section 305 - Yard Regulations

- 1) Front Yard
  - A) There shall be a front yard having a depth of not less than twenty feet (20').
  - B) For through lots, a front yard shall be provided along both ~~front-lot~~ street lines.
  - C) Yards along each street side of corner lots shall have a width equal to but not less than one half (1/2) the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.
- 2) Side Yard  
There shall be a side yard on each side of a building having a width of not less than ten feet (10').
- 3) Rear Yard  
There shall be a rear yard having a depth of not less than twenty feet (20'), or in the case of a legally recorded undersized lot or parcel, fifteen percent (15%) of the total lot depth.

#### Section 306 - Intensity of Use Regulations

- 1) Lot area: Each lot shall have a minimum lot area of one (1) acre. Lots with an area less than one (1) acre will be allowed if the parcel has a certified percolation rate of sixty minutes per inch (60 min/in) or less or if the parcel has access to an approved sewer system.
- 2) Lot coverage: The maximum lot coverage shall be fifty per cent (50%) of the lot area.
- 3) Lot width: The minimum lot width shall be thirty-five feet (35').
- 4) Distance between buildings: The minimum distance between buildings on the same lot shall be ~~fifteen-feet-(15')~~ eight feet (8').

#### Section 307 - Parking Regulations

The parking regulations are as provided in Article 25 hereof.

ADDITIONAL AND REVISED DEFINITIONS TO BE INCLUDED IN ARTICLE 30

ADD THE FOLLOWING DEFINITION:

CHURCH: A building in which people participate in or hold religious services, meetings and other related activities. The term "church" shall not carry a secular connotation and shall include buildings in which the religious services of any denomination are held.

REVISE THE FOLLOWING DEFINITION:

MOBILE HOME: A dwelling unit, factory built and factory assembled, designed for conveyance, after fabrication, on streets and highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations such as locating on jacks or other foundation, or connection to utilities. A transportable, factory-built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the National Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

ADD THE FOLLOWING DEFINITION:

MANUFACTURED OR MODULAR HOUSING: A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Housing Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame.